

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hasling  
Serial No: 09/831,057 (PCT/GB99/03574)  
Filed: May 4, 2001  
For: POLYMERISABLE SURFACTANTS  
Atty. Docket: 516.0071USU

RENEWED PETITION UNDER 37 C.F.R. 1.47(b)

Pursuant to the Decision on Petition Under 37 C.F.R. 1.47(b) dated May 10, 2002, constituting a dismissal of the Petition Under 37 C.F.R. 1.47(b), please reconsider the dismissal in view of the additional information set forth below.

As required in the Decision, Dr. Hasling has been supplied with a copy of the application papers, including the specification, claims, and oath or declaration (there were no drawings). As set forth in the Declaration of Ms. Joanne A. Romaniello, Dr. Hasling was supplied with a copy of PCT/GB99/03574, a preliminary amendment dated May 3, 2001, a declaration, an assignment, national entry documents, and transmittal papers (Exhibit I). Ms. Romaniello has declared in her Declaration (Exhibit II) that she deposited a parcel containing these materials with Federal Express on July 1, 2002. The transmittal papers included the cover letter to Dr. Hasling of that same date (also in Exhibit I). Applicant submits that a bona fide attempt has been made to present application papers to Dr. Hasling in accordance with 37 C.F.R. 1.47(b).

Following shipment of the application papers to Dr. Hasling, additional communications were attempted. Attorney J. Robert Dean spoke with Dr. Hasling by telephone on or about September 11, 2002. Dr. Hasling indicated during that conversation that he had received the parcel containing the application papers but had not acted upon it. Dr. Hasling asked to speak with an attorney for Rhodia Inc. Attorney J. Daniel Wood of Rhodia Inc. later spoke with Dr. Hasling by telephone on October 2, 2002. Dr. Hasling also indicated during his conversation with Attorney Wood that he had received the parcel containing the application papers but had not acted upon it. Declarations by Attorneys Dean and Wood regarding those telephone conversations are enclosed herewith (Exhibits III and IV, respectively).

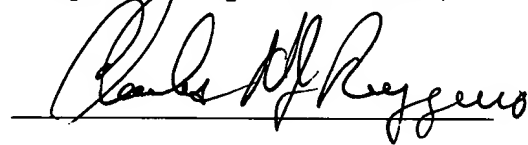
Attorney Wood also attempted to contact Dr. Hasling in a Letter dated October 7, 2002, wherein an offer of financial compensation was made to Dr. Hasling (Exhibit V). Also enclosed is a Shipment Receipt from United Parcel Service (also in Exhibit V) evidencing the sending of the Letter dated October 7, 2002. Also enclosed is a Tracking Summary from United Parcel Service (Exhibit VI) evidencing the delivery of the Letter dated October 7, 2002. To date, Attorney Wood has not received a reply from Dr. Hasling to the Letter dated October 7, 2002.

As further required in the Decision, a new Declaration and Power of Attorney executed by Mr. Kevin McVeigh (Exhibit VII) on behalf of Rhodia Inc. is submitted. The Decision set forth that the address indicated on the previous Declaration and Power of Attorney appeared to provide the residence, mailing address, and citizenship of Mr. John A. Shedden rather than the Applicant,

Rhodia Inc., as required. The new Declaration and Power of Attorney indicates that Rhodia Inc. is a Delaware Corporation and provides the company address. Mr. McVeigh has executed the new Declaration and Power of Attorney in view of Mr. Shedden's recent retirement. Mr. McVeigh holds the position of Assistant Secretary, Rhodia Inc.

Applicant requests that the documents, materials, and information provided herewith in this Renewed Petition be considered in addition to those previously submitted.

Respectfully submitted,



Dated: December 10, 2002

Charles N. J. Ruggiero  
Reg. No. 28,468  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero  
& Perle, L.L.P.  
One Landmark Square  
Stamford, CT 06901-2682  
Tel: 203-327-4500



1

2

Exhibit V Letter Dated October 7, 2002 Including  
Shipment Receipt from United Parcel Service

Exhibit VI      Tracking Summary for Letter Dated October 7, 2002  
from United Parcel Service

Exhibit VII Declaration and Power of Attorney

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problems Mailbox.**

EXHIBIT I  
**OHLANDT, GREELEY, RUGGIERO & PERLE, L.L.P.**  
ATTORNEYS AT LAW

ONE LANDMARK SQUARE, 10TH FLOOR  
STAMFORD, CONNECTICUT 06901-2682  
U.S.A.

Paul D. Greeley  
Charles N.J. Ruggiero, P.C.  
Terrence J. McAllister, P.C.\*

Telephone (203) 327-4500

Facsimile (203) 327-6401

Website: [www.ogrp.com](http://www.ogrp.com)

**VIA FEDERAL EXPRESS**  
(Tracking No. 8315 7369 3026)

David N. Koffsky (1936-2000)

Senior Counsel

E. Gabriel Perle  
John F. Ohlandt\*

George W. Rauchfuss, Jr.\*  
Robert R. Hubbard\*  
John Yankovich  
Michael A. Antista\*  
Randolph P. Calhoun\*  
J. Robert Dean\*  
Thomas J. Monahan, Ph.D.  
Andrew Vlahos\*  
Andrew C. Gust\*  
Carrie Anne Colby\*  
Brian Young  
Jean-Paul Cass\*  
Patrick J. Wells  
\*not admitted in CT

Vazken Alexanian, Ph.D. (Agent)  
Kristina M. Grasso (Agent)  
David L. Barnes (Agent)

July 1, 2002

Dr. P. D. Hasling  
21 Reservoir Road  
Kidderminster  
West Midlands, UNITED KINGDOM DY11 7AP

Re: U.S. Patent Application No. 09/831,057  
Filed May 4, 2001

Dear Dr. Hasling:

Thank you for your reply letter of November 22, 2001 concerning our letter to you of November 16, 2001. In your reply letter, you indicated that you were reluctant to sign without professional advice and that you would not be in a position to execute a declaration unless there was financial compensation.

In accordance with its rights under U.S. law, Rhodia Inc., successor in interest in the above application from Rhodia Consumer Specialties Limited and Albright & Wilson UK Limited, has applied for a U.S. patent on its own behalf. It has done so since you have not executed a declaration.

In our previous letter of November 22, 2002, we provided you with a declaration but not a complete copy of the application papers as required by the U.S. Patent & Trademark Office. To that end, we are required to supply you with a copy of the application, including claims and any preliminary amendment thereof, along with a declaration. The requirement of providing you with a complete set of application papers is the principal reason for corresponding with you again concerning this matter.

Dr. P.D. Hasling  
July 1, 2002  
Page 2 of 2

We are also supplying you with an assignment. The assignment essentially conveys ownership of the subject matter of the application to A & W, your former employer and predecessor in interest in the subject matter.


We understand and respect your previous refusal to execute a declaration. Rhodia does not intend to take any legal action against you for that refusal. Rhodia is simply going forward on its own behalf as it believes it has right to do so. In order to go forward, Rhodia is required to supply you with additional application papers in the event you choose to execute them.

If you choose to execute the declaration and the assignment, please return them to us in the return courier envelope (with return airbill no. 8327 3209 2518) enclosed herewith.

If you choose not to execute the declaration and assignment, we would appreciate it if you would provide a brief explanatory letter as you did last time. You may use the return courier envelope for this purpose as well.

Please contact me if you have questions or require clarification.

Very truly yours,



J. Robert Dean

bcc: John Daniel Wood (w/enc.)

Dr. P.D. Hasling  
July 1, 2002  
Page 2 of 2

We are also supplying you with an assignment. The assignment essentially conveys ownership of the subject matter of the application to A & W, your former employer and predecessor in interest in the subject matter.

We understand and respect your previous refusal to execute a declaration. Rhodia does not intend to take any legal action against you for that refusal. Rhodia is simply going forward on its own behalf as it believes it has right to do so. In order to go forward, Rhodia is required to supply you with additional application papers in the event you choose to execute them.

If you choose to execute the declaration and the assignment, please return them to us in the return courier envelope (with return airbill no. 8327 3209 2518) enclosed herewith.

If you choose not to execute the declaration and assignment, we would appreciate it if you would provide a brief explanatory letter as you did last time. You may use the return courier envelope for this purpose as well.

Please contact me if you have questions or require clarification.

Very truly yours,



J. Robert Dean



EXHIBIT II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hasling  
Serial No: 09/831,057 (PCT/GB99/03574)  
Filed: May 4, 2001  
For: POLYMERISABLE SURFACTANTS  
Atty. Docket: 516.0071USU

DECLARATION

I, Joanne A. Romaniello, declare the following:

That I deposited a parcel with Federal Express (Tracking No. 831573693026) on July 1, 2002. The parcel contained a copy of PCT/GB99/03574, a preliminary amendment dated May 3, 2001, a declaration, an assignment, national entry documents, and transmittal papers. The parcel was addressed to Dr. P.D. Hasling at the following address:

21 Reservoir Road  
Kidderminster  
West Midlands  
Great Britain  
DY11 7AP

I, Joanne A. Romaniello, as a paralegal for Ohlandt,  
Greeley, Ruggiero & Perle, L.L.P., hereby state, under penalty of  
perjury, that all of the above statements are true.

Joanne A. Romaniello  
Joanne A. Romaniello

July 1, 2002

Date

EXHIBIT III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hasling  
Serial No: 09/831,057 (PCT/GB99/03574)  
Filed: May 4, 2001  
For: POLYMERISABLE SURFACTANTS  
Atty. Docket: 516.0071USU

DECLARATION

I, J. Robert Dean, Jr., declare the following:

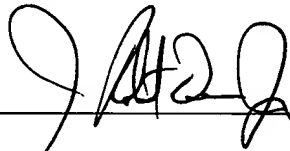
That I am an attorney for Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

That I spoke with Dr. P.D. Hasling by telephone on or about September 11, 2002. Dr. Hasling indicated he had received a parcel from Ohlandt, Greeley, Ruggiero & Perle, L.L.P. containing patent application papers. I asked Dr. Hasling if he planned to sign the patent application papers. Dr. Hasling did not indicate to me whether he planned to sign the patent application papers. Dr. Hasling asked to speak with an attorney for Rhodia Inc. I told Dr. Hasling that I would ask Attorney Dan Wood of Rhodia Inc. to contact him.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: December 10, 2002

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Robert Dean, Jr.", is written over a horizontal line.

J. Robert Dean, Jr.  
Reg. No. 33,490  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero  
& Perle, L.L.P.  
One Landmark Square  
Stamford, CT 06901-2682  
Tel: 203-327-4500

## EXHIBIT IV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hasling  
Serial No: 09/831,057 (PCT/GB99/03574)  
Filed: May 4, 2001  
For: POLYMERISABLE SURFACTANTS  
Atty. Docket: 516.0071USU

DECLARATION

I, John Daniel Wood, declare the following:

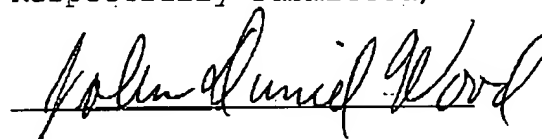
That I am an attorney for Rhodia Inc.

That I made several attempts to contact Dr. P.D. Hasling by telephone per Hasling's conversation with Attorney Dean on or about September 11, 2002. I actually spoke with Dr. Hasling by telephone on October 2, 2002. Dr. Hasling indicated he had received a parcel from Ohlandt, Greeley, Ruggiero & Perle, L.L.P. containing patent application papers. I asked Dr. Hasling if he planned to sign the patent application papers. Dr. Hasling did not indicate to me whether he planned to sign the patent application papers. I also attempted to contact Dr. Hasling in a Letter dated October 7, 2002, wherein an offer of financial compensation was made to Dr. Hasling (Exhibit VI). To date, I have not received a reply from Dr. Hasling to the Letter dated October 7, 2002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: December 10, 2002



John Daniel Wood  
Reg. No. 31,146  
Attorney for Applicants  
Ohlandt, Greeley, Ruggiero  
& Perle, L.L.P.  
One Landmark Square  
Stamford, CT 06901-2682  
Tel: 203-327-4500

EXHIBIT V



Intellectual Property Department

John Daniel Wood  
Senior Patent Counsel

October 7, 2002

**VIA UNITED PARCEL SERVICE**

Dr. Peter D. Hasling  
21 Reservoir Road  
Kidderminster, West Midlands  
United Kingdom DY11 7AP

**RE: Patent Application For "Polymerisable Surfactants"**  
**U.S. Patent Application No. 09/831,057**  
**Rhodia Ref. No. RD01018**

Dear Sir:

Thank you for speaking with me last week. I have been authorized to offer you what Rhodia believes to be reasonable compensation for your assistance in this matter.

Rhodia estimates that it should take you about an hour to review the application for which we are asking you to sign a Declaration document and an Assignment document. Rhodia is willing to pay you at the rate of Three Hundred US Dollars per hour (US \$300/hour) for your assistance. Thus, Rhodia is offering to pay you Three Hundred US Dollars (US\$300.00) for signing the Declaration document and the Assignment document we have presented to you. Rhodia will also reimburse you for any notarial expenses.

Please let me know if this is acceptable to you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Daniel Wood".  
John Daniel Wood

JDW/tbs

## UPS Internet Shipping: Shipment Receipt

UPS Internet Shipping: Shipment Receipt  
(Keep this for your records.)

Transaction Date 07 Oct 2002

## ADDRESS INFORMATION

## Ship To

DR. PETER D. HASLING  
DR. PETER D. HASLING  
44156268725  
21 RESERVOIR ROAD  
KIDDERMINSTER, WEST MIDLANDS  
DY117AP  
UNITED KINGDOM  
Residential

## Shipper

Terri Schiffman  
Rhodia Inc.  
609 860 4185  
Bldg. N  
Intellectual Property  
259 Prospect Plains Rd.  
Cranbury, NJ 08512  
UNITED STATES

## Ship From

Cranbury, NJ 08512  
UNITED STATES

## SHIPMENT DETAILS

Service : UPS Express  
Payment Method : Bill Sender: 7A9V35  
Description of Goods : Document  
Shipment ID : 7A9V35TK4ZS  
Reference#1 : RD01018

Actual Weight : Letter  
Billable Weight : Letter

Shipping : \*\*29.80

## PACKAGE DETAILS

## Package 1 of 1

Tracking Number

1Z7A9V356693517773

Package Type

UPS Letter

Total : \*\*29.80

All currencies in USD

Note: The displayed rate is for reference purposes and does not include applicable taxes.  
\* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 800-PICK-UPS.

\*\* Rate includes a fuel surcharge.

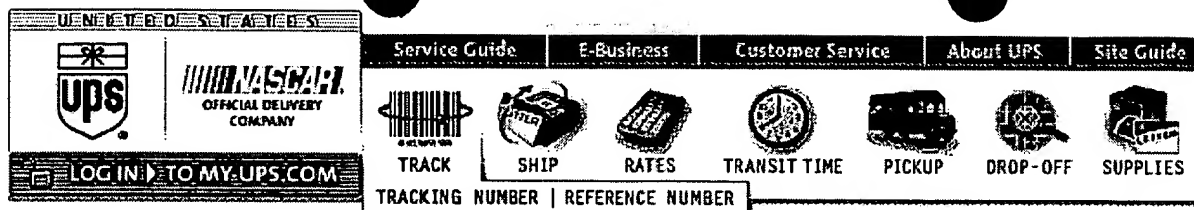
## Responsibility for Loss or Damage

Unless a greater value is recorded in the insured value field as appropriate for the UPS shipping system used, the shipper agrees that the released value of each package covered by this receipt is no greater than \$100, which is a reasonable value under the circumstances surrounding the transportation. UPS does not accept for transportation and shipper's requesting service through the Internet are prohibited from shipping packages with a value of more than \$50,000. The maximum liability per package assumed by UPS shall not exceed \$100, regardless of the purchase of insurance for protection in excess of \$100. The maximum liability per package assumed by the applicable insurance company shall not exceed \$50,000 (less \$100). Claims not made within nine months after delivery of the package (six months for international shipments), or in the case of failure to make delivery, nine months after a reasonable time for delivery has elapsed (six months for international shipments), shall be deemed waived. The entry of a C.O.D. amount is not a declaration of value for insurance purposes. All checks or other negotiable instruments tendered in payment of C.O.D.'s will be accepted by UPS at shipper's risk. UPS shall not be liable for any special, incidental, or consequential damages.

All shipments are subject to the terms and conditions contained in the UPS Tariff and the UPS Terms and Conditions of Service, which can be found at [www.ups.com](http://www.ups.com).



## EXHIBIT VI



## Tracking Summary

To see a detailed report for each package, please select the Detail button.

**TRACKING NUMBER**

1. 1Z 7A9 V35 66 9351 777 3

**STATUS****Delivered**

Delivered on:

Oct 10, 2002 11:12  
A.M.

Delivered to:

KIDDERMINSTER,  
GB

Signed by:

NOTE LEFT

Service Type:

EXPRESS

Tracking results provided by UPS: Nov 26, 2002 11:57 A.M. Eastern Time (USA)

**NOTICE:** UPS authorizes you to use UPS tracking systems solely to track shipments tendered by or for you to UPS for delivery and for no other purpose. Any other use of UPS tracking systems and information is strictly prohibited.

[Top of Page](#)



[Home](#) | [Track](#) | [Ship](#) | [Rates](#) | [Transit Time](#) | [Pickup](#) | [Drop-off](#) | [Supplies](#)  
[Service Guide](#) | [E-Business](#) | [Customer Service](#) | [About UPS](#) | [Site Guide](#) | [MY UPS.COM](#) |  
[UPS Global](#) | [UPS Corporate](#)

Copyright © 1994-2002 United Parcel Service of America, Inc.

All Rights Reserved. NASCAR® is a registered trademark of the National Association for Stock Car Auto Racing, Inc.

[Trademark and Tariff Information](#)

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**Docket No.: 516.0071USU

I, Kevin E. McVeigh, as Assistant Secretary of Rhodia Inc., the applicant, and having authorization to sign on behalf of the applicant, hereby declare that:

Rhodia Inc. is a Delaware Corporation having a place of business and an address at the following:

**259 Prospect Plains Road  
Cranbury, New Jersey 08512  
U.S.A.**

The applicant has a proprietary interest in the subject matter that is claimed and for which a patent is sought on the invention entitled:

**POLYMERISABLE SURFACTANTS**

the specification of which

(check one) ☐ is attached hereto.

**XXX** was filed on **May 4, 2001** as Application Serial No. **09/831,057** and was amended on \_\_\_\_\_ (if applicable).

By virtue of the proprietary interest of the Applicant, I sign this Declaration and Power of Attorney on behalf of and as agent for Peter David Hasling, the Inventor. The Inventor's last known address and his citizenship is the following:

**Peter David Hasling, 21 Reservoir Road, Kidderminster, West Midlands, DY11 7AP, United Kingdom.**

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the examination of this application as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate(s) listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
<div style="display: inline-block; width: 25%;"> <u>9824267.0</u> (Number) </div> <div style="display: inline-block; width: 25%;"> <u>Great Britain</u> (Country) </div> <div style="display: inline-block; width: 25%;"> <u>06 November 1998</u> (Day/Mon/Year Filed) </div> <div style="display: inline-block; width: 25%;"> <u>X</u> Yes <input type="checkbox"/> No </div>	
<div style="display: inline-block; width: 25%;"> <u>9913034.6</u> (Number) </div> <div style="display: inline-block; width: 25%;"> <u>Great Britain</u> (Country) </div> <div style="display: inline-block; width: 25%;"> <u>05 June 1999</u> (Day/Mon/Year Filed) </div> <div style="display: inline-block; width: 25%;"> <u>X</u> Yes <input type="checkbox"/> No </div>	

PCT/GB99/03574  
(Number)

PCT  
(Country)

28 October 1999  
(Day/Mon/Year Filed)

X Yes \_\_\_ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status - patent, pend., abandon.)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status - patent, pend., abandon.)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status - patent, pend., abandon.)</u>

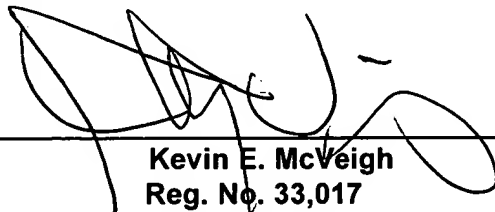
POWER OF ATTORNEY: On behalf of the Applicant and Inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAMES	REGISTRATION NUMBERS
Kevin E. McVeigh	33,017
John Daniel Wood	31,146
Charles N.J. Ruggiero	28,468
Paul D. Greeley	31,019

SEND CORRESPONDENCE TO:	DIRECT TELEPHONE CALLS TO:
Charles N. J. Ruggiero, Esq. Ohlandt, Greeley, Ruggiero & Perle, L.L.P. One Landmark Square, 10 <sup>th</sup> Floor Stamford, Connecticut 06901-2682	Charles N. J. Ruggiero, Esq. Telephone: (203) 327-4500 Telefax: (203) 327-6401

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

For the Applicant: \_\_\_\_\_



**Kevin E. McVeigh**  
**Reg. No. 33,017**  
**Assistant Secretary, Rhodia Inc.**

Date 11/25, 2002